

E4anwilc

Arraignment

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

-----x

3 UNITED STATES OF AMERICA,

4 v.

14 CR 130 (RPP)  
Arraignment

5 ALLEN WILLIAMS, ROBERTO GRANT,  
6 TERRELL RATLIFF, and TYRONE DEHOYOS

7 Defendant.

8 -----x

9 New York, N.Y.  
10 April 10, 2014  
4:30 p.m.

11 Before:

12 HON. ROBERT P. PATTERSON, JR.,

13 District Judge

14 APPEARANCES

15 PREET BHARARA  
16 United States Attorney for the  
17 Southern District of New York  
18 RICHARD A. COOPER  
ANDREA GRISWOLD  
Assistant United States Attorneys

19 KAFAHNI NKRUMAH  
20 Attorney for Defendant Williams

21 JESSE SIEGEL  
22 Attorney for Defendant Grant

23 NATALI TODD  
Attorney for Defendant Ratliff

24 ROBERT BAUM  
25 Attorney for Defendant Dehoyos

1 (In open court)

2 (Case called)

3 MR. COOPER: Good afternoon, your Honor. Richard  
4 Cooper and Andrea Griswold for the government.

5 THE COURT: Good afternoon, Mr. Cooper and  
6 Ms. Griswold.

7 THE DEPUTY CLERK: Is defendant Allen Williams ready  
8 in this matter?

9 MR. NKRUMAH: Yes. Good afternoon, your Honor.  
10 Kafahni Nkrumah for Mr. Allen Williams who is seated in the top  
11 row between the two marshals.

12 THE COURT: Good afternoon, Mr. Nkrumah and good  
13 afternoon, Mr. Williams.

14 THE DEPUTY CLERK: Defendant Roberto Grant, ready?

15 MR. SIEGEL: Yes. Good afternoon, Judge. Jesse  
16 Siegel for Mr. Grant. Mr. Grant is over there raising his  
17 hand.

18 THE COURT: Good afternoon, Mr. Siegel and good  
19 afternoon, Mr. Grant.

20 DEFENDANT GRANT: Good afternoon.

21 THE DEPUTY CLERK: Defendant Terrell Ratliff.

22 MS. TODD: Good afternoon, your Honor. Natali Todd  
23 tore Mr. Ratliff, who is seated in the front row of the jury  
24 box.

25 THE COURT: Good afternoon Mr. Ratliff. Is that

1 right?

2 DEFENDANT RATLIFF: Yeah. Good afternoon.

3 THE COURT: OK.

4 THE DEPUTY CLERK: Defendant Tyrone Dehoyos.

5 MR. BAUM: Robert M. Baum on behalf of Mr. Dehoyos,  
6 who is seated in the first row of the jury box closest to the  
7 Court's bench.

8 Good afternoon.

9 THE COURT: Good afternoon, Mr. Baum and good  
10 afternoon, Mr. Dehoyos.

11 DEFENDANT DEHOYOS: Good afternoon.

12 THE COURT: All right. I understand we have to  
13 arraign the defendants on the superseder one and superseder  
14 two.

15 MR. COOPER: That is right, your Honor.

16 THE COURT: Allen Williams. Mr. Nkrumah, have you  
17 seen a copy of superseding indictment number one charging the  
18 defendant with conspiracy to commit robberies between the dates  
19 of July 1, 2013 and January 30, 2014, and also charging the  
20 defendant with individual robberies between the dates of July  
21 1, 2013; and Count Two of a jewelry store located in Atlantic  
22 City, New Jersey; and then Count Three, with a jewelry store in  
23 Richmond, Virginia on or about August 3, 2013; and in Count  
24 Four with a jewelry store in Cranford, New Jersey, on or around  
25 January 9, 2014; and in Count Five with a jewelry store located

1 in Manhattan New York, on or about January 30, 2014?

2 MR. NKRUMAH: Yes, your Honor, I have had an  
3 opportunity to review S1 with my client, Mr. Williams. I had  
4 an opportunity to give him a copy of S1 after reviewing it.

5 THE COURT: OK.

6 Does he wish to have the counts read to him?

7 MR. NKRUMAH: No, your Honor.

8 THE COURT: Have you discussed the charges in each of  
9 the counts with him?

10 MR. NKRUMAH: Yes, your Honor.

11 THE COURT: Dose he wish to have a plea of not guilty  
12 entered on his behalf as to Counts One through Five --

13 MR. NKRUMAH: That is correct, your Honor.

14 THE COURT: -- of the superseding indictment?

15 MR. NKRUMAH: That is correct. At this time  
16 Mr. Williams enters a plea of not guilty to superseding S1 14  
17 Cr. 130 to all counts.

18 THE COURT: Mr. Williams, have you seen the  
19 superseding indictment number one charging you with conspiracy  
20 to commit robberies between July 1, 2013 and January 30, 2014;  
21 and charging you in Count Two with engaging in a robbery on and  
22 around July 1, 2013 of a jewelry store in Atlantic City New  
23 Jersey; in Count Three charging you with the robbery of a  
24 jewelry store in Richmond, Virginia, on or around August 3,  
25 2013, and in Count Four charging you with the robbery on or

1 around January 9, 2014 of a jewelry store in Cranford, New  
2 Jersey, and charging you in Count Five with the robbery of a  
3 jewelry store located in Manhattan, New York, on or around  
4 January 30, 2014? Have you seen the indictment?

5 DEFENDANT WILLIAMS: Yes, I have seen it.

6 THE COURT: I couldn't hear you.

7 DEFENDANT WILLIAMS: I have seen it.

8 THE COURT: Do you want me to read the indictment to  
9 you --

10 DEFENDANT WILLIAMS: No.

11 THE COURT: -- or do you waive a reading of the  
12 indictment?

13 DEFENDANT WILLIAMS: I waive it.

14 THE COURT: Would you like a plea of not guilty  
15 entered on your behalf?

16 DEFENDANT WILLIAMS: Yes.

17 THE COURT: A plea of not guilty to all charges will  
18 be entered on behalf of Mr. Williams as to superseding  
19 indictment one.

20 Roberto Grant. Mr. Siegel, have you seen a copy of  
21 the superseding indictment charging Mr. Roberto Grant with all  
22 five counts of the indictment; namely, the conspiracy to commit  
23 robberies between the dates of July 1, 2013 to January 30,  
24 2014; the alleged robbery on July 1, 2013 of a jewelry store in  
25 Atlantic City, New Jersey; the robbery of a jewelry store in

1 Richmond, Virginia, in Count Three on or around August 3, 2013;  
2 the robbery of a jewelry store in Cranford, New Jersey, on or  
3 about January 9, 2014, as alleged in Count Four; and in Count  
4 Five, the robbery of a jewelry store in Manhattan, New York, on  
5 or around January 30, 2014?

6 MR. SIEGEL: Yes, I have, Judge. I have reviewed that  
7 with Mr. Grant and he is prepared to waive its public reading  
8 and to enter a plea of not guilty.

9 THE COURT: Mr. Grant, have you read a copy of the  
10 indictment charging you with the crimes that I just read off?

11 DEFENDANT GRANT: Yes, I have.

12 THE COURT: Do you wish me to read the indictment to  
13 you or do you waive a reading of the indictment?

14 DEFENDANT GRANT: I waive the reading of the  
15 indictment.

16 THE COURT: Do you wish a plea of not guilty entered  
17 as to all five counts of the indictment?

18 DEFENDANT GRANT: Yes.

19 THE COURT: A plea of not guilty will be entered on  
20 behalf of Mr. Grant as to all five counts in the indictment.

21 Mr. Ratliff, Terrell Ratliff. Ms. Todd?

22 MS. TODD: Yes, your Honor.

23 THE COURT: Have you seen a copy of the indictment  
24 charging the defendant in two counts?

25 MS. TODD: I have, your Honor.

1 THE COURT: Charging conspiracy to commit robberies  
2 between the dates of July 1, 2013 through January 30, 2014 in  
3 Count One, and in Count Two charging him with participating in  
4 a robbery of a jewelry store in Atlantic City on or around July  
5 1, 2013?

6 MS. TODD: I have, your Honor. I have reviewed it  
7 with Mr. Ratliff. We are prepared to waive the public reading  
8 of the indictment, and he's also prepared to enter a plea of  
9 not guilty.

10 THE COURT: Thank you.

11 I will have to take a break.

12 (Recess)

13 THE COURT: Mr. Ratliff, did you hear everything so  
14 far.

15 DEFENDANT RATLIFF: Yes, sir.

16 THE COURT: Have you seen a copy of superseding  
17 indictment one charging you with conspiracy to violate the  
18 robbery laws of the United States during the period July 1,  
19 2013 to January 30, 2014, and also in Count Two charging you  
20 with engaging in a robbery of a jewelry store in Atlantic City  
21 on or around July 1, 2013?

22 DEFENDANT RATLIFF: Yes, sir.

23 THE COURT: Do you wish me to read the charges in  
24 Count One and Count Two to you?

25 DEFENDANT RATLIFF: No. I waive it.

1 THE COURT: I'm sorry?

2 DEFENDANT RATLIFF: I waive it.

3 THE COURT: You waive it. Would you like a plea of  
4 not guilty entered on your behalf in connection with those two  
5 charges?

6 DEFENDANT RATLIFF: Yes, sir.

7 THE COURT: All right.

8 A plea of not guilty will be entered on behalf of  
9 Mr. Ratliff as to Counts One and Two.

10 Mr. Dehoyos, Tyrone Dehoyos. Mr. Baum.

11 MR. BAUM: Yes, your Honor.

12 THE COURT: Have you seen a copy of the indictment  
13 charging you defendant?

14 MR. BAUM: I have, your Honor. I have reviewed it  
15 with Mr. Dehoyos. We have discussed it. He waives its public  
16 reading, and he would enter a plea of not guilty.

17 THE COURT: Mr. Dehoyos, have you seen a copy of the  
18 superseding indictment charging you in Count One with  
19 conspiracy to violate the conspiracy laws, charging you with  
20 engaging in a conspiracy to violate the robbery laws of the  
21 United States during the period of July 1, 2013 to January 30,  
22 2014 in Count One and also charging you in Count Four with a  
23 robbery of a jewelry store in Cranford, New Jersey, on or  
24 around January 9, 2014?

25 DEFENDANT DEHOYOS: Yes.



1 THE COURT: Do you wish me to read these charges to  
2 you?

3 DEFENDANT DEHOYOS: No, I waive.

4 THE COURT: Would you like a plea of not guilty  
5 entered on your behalf at this time?

6 DEFENDANT DEHOYOS: Yes.

7 THE COURT: All right. A plea of not guilty will be  
8 entered on behalf of Mr. Dehoyos on Count One and Count Four of  
9 the superseding indictment.

10 I guess I have to arraign the defendants also on the  
11 counts in superseder number two.

12 MR. COOPER: I think that's right, your Honor.

13 THE COURT: All right.

14 Mr. Williams, Allen Williams.

15 Mr. Nkrumah, have you seen a copy of the superseding  
16 indictment number two charging the defendant with conspiracy to  
17 violate the narcotic laws between the dates of July 1, 2013 and  
18 January 30, 2014 in Count One. And also charging him in Count  
19 Three with conspiracy to commit a robbery of an Atlantic City  
20 jewelry store on and around July 1, 2013, in Count Three; and  
21 in Count Four charging him with conspiracy to commit the  
22 robbery of a jewelry store on or around August 3, 2013, in the  
23 vicinity of Richmond, Virginia; and in Count Five of committing  
24 a robbery on November 6, 2013 in New Canaan, Connecticut; and  
25 charging him in Count Six with committing a robbery on January

1 9, 2014, in Cranford, New Jersey; and charging him in Count  
2 Seven with committing a robbery in Manhattan, New York, on or  
3 around January 30, 2014?

4 MR. NKRUMAH: Yes, your Honor.

5 I have had an opportunity to review that indictment I  
6 have an opportunity to review that indictment with  
7 Mr. Williams. We enter a plea of not guilty to all charges.

8 THE COURT: All right.

9 MR. NKRUMAH: We also waive the public reading, your  
10 Honor of the indictment.

11 THE COURT: All right.

12 Mr. Williams, have you seen the superseding indictment  
13 charging you with the crimes I just read off?

14 DEFENDANT WILLIAMS: Yes, I have seen it.

15 THE COURT: Do you wish me to read them, or do you  
16 waive the reading?

17 DEFENDANT WILLIAMS: I waive my rights to the reading.

18 THE COURT: Do you wish a plea of not guilty entered  
19 on your behalf?

20 DEFENDANT WILLIAMS: Yes.

21 THE COURT: A plea of not guilty will be entered on  
22 Mr. Williams' behalf as to Counts One, Three, Four, Five, Six,  
23 and Seven of superseding indictment two.

24 Roberto Grant.

25 Mr. Siegel, have you seen a copy of the superseding

1 indictment two charging the defendant with conspiracy to  
2 violate the robbery laws of the United States between the dates  
3 of July 1, 2013 and January 30, 2014 and charging him in Count  
4 Three with participating in a robbery of an Atlantic City  
5 jewelry store on and around July 1, 2013; in Count Four  
6 charging him with the robbery of a jewelry store in Richmond,  
7 Virginia, on or around August 3, 2013; charging him also with a  
8 robbery of a jewelry store in New Canaan, Connecticut, on or  
9 around November 6, 2013; in Count Six charging him with the  
10 robbery of a jewelry store in Cranford, New Jersey, on or  
11 around January 9, 2014; and charging him in Count Seven with  
12 the robbery of a New York, Manhattan, New York, jewelry store  
13 on or around January 30, 2014?

14 MR. SIEGEL: Yes, I have, Judge.

15 I have reviewed that indictment with Mr. Grant. He's  
16 prepared to waive the public reading of the indictment, and  
17 he's also prepared to enter a plea of not guilty.

18 THE COURT: Mr. Grant, have you seen a copy of the  
19 indictment?

20 DEFENDANT GRANT: Yes, your Honor.

21 THE COURT: The superseding indictment two containing  
22 the charges I have just read off?

23 DEFENDANT GRANT: Yes, I have, your Honor.

24 THE COURT: Do you wish to have the counts in which  
25 you are charged read to you --

1 DEFENDANT GRANT: No, sir.

2 THE COURT: -- or do you waive a reading of the  
3 counts?

4 DEFENDANT GRANT: I waive the reading.

5 THE COURT: Do you wish a plea of not guilty entered  
6 on your behalf as to Counts One, Three, Four, Five, Six and  
7 Seven?

8 DEFENDANT GRANT: Not guilty.

9 THE COURT: All right. A plea of not guilty will be  
10 entered on behalf of Mr. Grant as to Counts One, Three, Four,  
11 Five, Six and Seven of the second superseding indictment.

12 Terrell Ratliff. Ms. Todd, have you seen a copy of  
13 the indictment charging Mr. Ratliff with conspiracy to commit  
14 Hobbs Act robberies between the dates of July 1, 2013, through  
15 January 30, 2014, that is Count One; and in Count Three  
16 charging him with participating in a robbery of a jewelry store  
17 in Atlantic City New Jersey on or around July 1, 2013?

18 MS. TODD: Yes, your Honor. I am in receipt of  
19 superseding indictment four. I have reviewed --

20 THE COURT: I think it's two.

21 MS. TODD: I'm sorry, superseding indictment two.

22 I have reviewed the indictment with Mr. Ratliff with  
23 respect to the charges attributed to him, which is Count One  
24 and Count Three. He waives the public reading of the  
25 indictment, and he is prepared to enter a plea of not guilty as

1 to both counts.

2 THE COURT: Mr. Ratliff, have you seen a copy of  
3 superseding indictment two, charging you with conspiracy to  
4 commit Hobbs Act robberies on July 1, 2013, through January 30,  
5 2014; and in Count Three charging you with participating in the  
6 robbery of a jewelry store in Atlantic City, New Jersey, on or  
7 around July 1, 2013?

8 DEFENDANT RATLIFF: Yes, sir.

9 THE COURT: Do you wish me to read those charges to  
10 you at this time, or do you waive a reading of those charges?

11 DEFENDANT RATLIFF: I waive it.

12 THE COURT: You waive a reading.

13 Would you like a plea of not guilty entered on your  
14 behalf at this time?

15 DEFENDANT RATLIFF: Yes, sir.

16 THE COURT: All right.

17 A plea of not guilty will be entered as to Counts One  
18 and Three as to Mr. Ratliff.

19 Tyrone Dehoyos. Mr. Baum, is it?

20 MR. BAUM: Yes, your Honor.

21 THE COURT: Have you seen a copy of the indictment  
22 charging Mr. Dehoyos with conspiracy to violate the robbery  
23 laws of the United States during the period July 1, 2013,  
24 through January 30, 2014, in Count One; and charging the  
25 defendant in Count Six with engaging in the robbery of a

1 Cranford, New Jersey, jewelry store on or around January 9,  
2 2014?

3 MR. BAUM: I have seen it, your Honor. I have  
4 discussed it with Mr. Dehoyos. We waive its public reading,  
5 and Mr. Dehoyos enters a plea of not guilty to those two  
6 counts.

7 THE COURT: Mr. Dehoyos, have you seen a copy of the  
8 superseding indictment two charging you with conspiracy to  
9 commit Hobbs Act robberies between the dates of July 1, 2013,  
10 and January 30, 2014?

11 DEFENDANT DEHOYOS: Yes.

12 THE COURT: Have you also seen that in that indictment  
13 there is also a charge in Count Six charging you with  
14 participating in a robbery of a jewelry store in Cranford, New  
15 Jersey, on or around January 9, 2014?

16 DEFENDANT DEHOYOS: Yes.

17 THE COURT: Do you want me to read these two counts to  
18 you at this time?

19 DEFENDANT DEHOYOS: No, I'll waive.

20 THE COURT: Would you like a plea of not guilty  
21 entered on your behalf at this time?

22 DEFENDANT DEHOYOS: Yes.

23 THE COURT: All right. A plea of not guilty will be  
24 entered on behalf of Tyrone Dehoyos as to Counts One and Six of  
25 the second superseding indictment.

1 Are we done?

2 MR. COOPER: I think that is all the arraighning that  
3 we have to do today, your Honor.

4 THE COURT: All right.

5 What else do we have to do?

6 MR. COOPER: We can give you an update on where we  
7 are, your Honor.

8 To date the government has produced, with a few  
9 exceptions, all of the discovery that it has in its possession  
10 right now. I can outline for Court the few items, the  
11 remaining discovery that we have that we will be producing in  
12 very short order, but we have already turned over to the  
13 defendants, among numerous other things, any postarrest  
14 statements that were made by the defendants as well as a search  
15 warrant application that was made in connection with this case  
16 with respect to cell phones that were recovered from three of  
17 the defendants.

18 The government has also produced police files with  
19 respect to the charged robberies as well as surveillance videos  
20 and images from four out of the five substantive robberies  
21 contained in the S2 superseding indictment. There are a few  
22 pieces of discovery that remain to be produced that the  
23 government has just recently received and is in the process of  
24 gathering together for production to the defendants. I can  
25 outline that for your Honor.

1           It consists of the search warrant returns with respect  
2 to searches of two of these defendants' phones, Mr. Grant and  
3 Mr. Williams, some additional cell site information.

4           I should note, your Honor, that the government  
5 collected cellular telephone call records and cell site  
6 information pursuant to applications and orders that were  
7 entered by the Court. We produced what we had to the  
8 defendants, and we are expecting to receive additional cell  
9 site information that we will produce promptly.

10           There's one additional substantive robbery that's  
11 added in the S2 indictment that was not in the previous  
12 indictment. That is the robbery up in New Canaan, Connecticut.  
13 We will be producing the file with respect to that robbery as  
14 well as the file with respect to a robbery that occurred in  
15 Brooklyn, New York, which is not charged as a substantive  
16 robbery, but forms the basis for Count Two of the indictment,  
17 which is discharge of a firearm in furtherance of the robbery  
18 conspiracy.

19           It was a robbery, your Honor, that's part of this  
20 conspiracy where robbers brandished firearms and actually  
21 discharged one of the firearms and shot a store owner in the  
22 leg. So those files remain to be produced. The government has  
23 those and is in the process of preparing them for production.

24           THE COURT: When will they be turned over to the  
25 defense?



1 MR. COOPER: I think within the next week we should  
2 have all of those remaining pieces of discovery that I have  
3 outlined produced to the defendants.

4 THE COURT: I think you mentioned, maybe I am wrong,  
5 but you mentioned five counts, substantive counts. I think  
6 there are six.

7 MR. COOPER: In the S2 superseding indictment, your  
8 Honor, there's the Hobbs Act conspiracy count. That's Count  
9 One. There is a gun count --

10 THE COURT: And then five --

11 MR. COOPER: And then five substantive robberies, yes.

12 THE COURT: All right.

13 MR. COOPER: Your Honor, I should also note that in  
14 the S2 indictment there are three defendants who are not here  
15 today. Two of those defendants, Mr. McIntyre and Mr. Thompson,  
16 are currently in state custody. Mr. Thompson is in state  
17 custody in New York, and Mr. McIntyre is in state custody in  
18 New Jersey.

19 The government has submitted writs. Once executed, we  
20 will begin the process of writting those two defendants into  
21 this district to be arraigned on the S2 indictment.

22 THE COURT: What about the remaining defendant?

23 MR. COOPER: He's currently at large, your Honor.

24 THE COURT: We haven't set a date then for review of  
25 the discovery and motions. I guess it is a little preliminary.

1 Is it? What do counsel think?

2 MR. SIEGEL: Judge, we have had a discussion among all  
3 of us earlier and felt that it was made more sense for us to  
4 have some more time to look at the discovery. We actually were  
5 just served with a fairly substantial quantity of the discovery  
6 today. So we were going to ask your Honor to return back to  
7 Court in approximately six weeks or so after we have had a  
8 chance to review the additional discovery and the additional  
9 discovery yet to be provided.

10 MS. TODD: Judge, if I might just add to that, with  
11 respect to the earlier discovery that the government mailed out  
12 to all counsel, the discovery that I received I was unable to  
13 access the information because there appears to be something  
14 wrong with the CD. I have spoken with Mr. Cooper, and he is  
15 going to expedite another copy to me. So I really haven't had  
16 a chance to look at anything.

17 THE COURT: What date are you asking for for coming  
18 back here, Mr. Siegel?

19 MR. SIEGEL: Judge, I don't think we had sort of  
20 narrowed it down that far among us. I said six weeks. That  
21 would put us toward the end of May I guess.

22 THE COURT: These men are in jail.

23 MR. SIEGEL: Yes.

24 THE COURT: Is that as soon as it can be done?

25 MR. SIEGEL: I think I am hearing from my colleagues a

1 proposal here for the week of May 19.

2 THE COURT: I would prefer it before the 19th. I am  
3 beginning a trial on the 19th.

4 MR. SIEGEL: The prior week I guess would be the week  
5 of May 15.

6 THE DEPUTY CLERK: Thursday, May 15.

7 MR. BAUM: That's good.

8 THE DEPUTY CLERK: Thursday May 15 at 4.

9 MR. SIEGEL: May 15 at 4 o'clock. All right.

10 THE COURT: I think you should all know that  
11 Mr. Monteagudo is a new grandfather. He can be referred to as  
12 grand-pop from now on.

13 MR. SIEGEL: Oh, well, congratulations. He doesn't  
14 seem quite old enough.

15 THE COURT: He's got a beard there. He hides it. May  
16 15 at 4 o'clock.

17 MR. COOPER: Your Honor, the government would request  
18 exclusion of time between now and May 15 under the speedy trial  
19 act to permit the defendants to review the additional discovery  
20 that the government is gathering and producing and to  
21 contemplate motions in that time, your Honor.

22 THE COURT: The application is granted.

23 MR. COOPER: Thank you, your Honor.

24 THE COURT: Anything further to take up?

25 MR. COOPER: Not from the government.

1 MR. SIEGEL: No, Judge, thank you.

2 THE COURT: All right.

3 MR. COOPER: Thank you, Judge.

4 THE COURT: Thank you.

5 (Adjourned)

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25